

REMARKS

Claims **1, 3, 8-10, 12-15, 19-20, 22-26, 30, 33, 35-37, 41, 43-44, and 46-72** are pending in this application. According to the November 9, 2010 Office Action, all claims stand rejected.

Independent claims **1, 13, 25, and 36** have been amended, dependent claims **3, 14, 19-20, 22-23, 26, 37, 57-59, 64-66, and 70-72** have been amended, and new dependent claims **73-76** have been added to recite embodiments that have been determined to be commercially desirable at this time. Dependent claims **8, 30, and 41** have been canceled. The subject matter of the previously presented and canceled claims will be pursued in one or more continuing applications.

The following claims are under consideration:

- Independent claims **1, 13, 25, and 36**.
- Dependent claims **3, 9-10, 12, 14-15, 19-20, 22-24, 26, 33, 35, 37, 43-44, and 46-76**.

I. REJECTION OF CLAIMS UNDER 35 U.S.C. § 112

At pages 2-3, the Office Action rejects claims **23, 57, 59, 64, 66, 70, and 72** under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants disagree with the rejections but respectfully submit the rejections are now moot.

II. REJECTION OF CLAIMS UNDER 35 U.S.C. § 102(a)

At pages 3-10, the Office Action rejects claims **1, 3, 9-10, 12-15, 19-20, 22-26, 33, 35-37, 43-44, and 46-72** under 35 U.S.C. § 102(e) as being anticipated by Sato et al., U.S. Patent Application Publication No. 2003/0054870 (hereinafter Sato).

Amended independent claim **1** recites in part:

receive ... a wager on an event ..., in which the wager has a bet amount associated therewith ...;
allocate a first portion of the bet amount to the first bet; and
allocate a second portion of the bet amount to the second bet.

The Office Action asserts that similar features are disclosed by Sato paragraphs 121-122 (see e.g., Office Action pg 6, rejection of claim **8**). Applicants respectfully disagree. At paragraphs 121-122, Sato discloses a system where a player can designate a bet unit, which amount is accorded to each speculation selected by a player. For each selected speculation, the bet unit amount is subtracted from the player's credit.

Sato paragraphs 121-122 do not disclose, for example, allocating a first and a second portion of the bet unit to first and second selected speculations and as such, do not disclose “*allocat[ing] a first portion of the bet amount to the first bet; and allocat[ing] a second portion of the bet amount to the second bet*” as recited by claim 1. Similarly, credits owned by a player as disclosed by Sato paragraphs 121-122 are not a “*bet amount*” as recited by claim 1 and as such, subtracting from the credits the bet unit for each selected speculation as disclosed by Sato is not “*allocat[ing] a first portion of the bet amount to the first bet; and allocat[ing] a second portion of the bet amount to the second bet*” as recited by claim 1.

For at least the forgoing reasons, the cited portions of Sato have not been shown to disclose all limitations of independent claim 1.

For at least the same reasons as discussed above for claim 1, the cited portions of Sato have not been shown to disclose all limitations of independents claim 13, 25, and 36.

Because claims 3, 9-10, 12, 14-15, 19-20, 22-24, 26, 33, 35, 37, 43-44, and 46-76 depend from independent claims 1, 13, 25, and 36, the cited portions of Sato have not been shown to disclose all limitations of these claims for at least the same reasons as claims 1, 13, 25, and 36.

III. AUTHORIZATION FOR EMAIL COMMUNICATION

Recognizing that Internet communications are not secure, Applicants hereby authorize the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicants understand that a copy of these communications will be made of record in the application file.

IV. GENERAL AUTHORIZATION FOR ALL FEES DURING THE PENDENCY OF THIS APPLICATION

For the entire pendency of this application, please charge all fees to deposit account 50-3938.

V. CONCLUSION

The Examiner is urged to telephone the undersigned representative at the number noted below if it will advance the prosecution of this application.

Respectfully submitted,

/Glen R. Farbanish/

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Date

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